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PHILIPS INTELLECTUAL PROPERTY & STANDARDS			EXAMINER	
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The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: LALITHA AGNIHOTRI, and ANGEL JAEVSKI

Application No. 10/084,712
Technology Center 2400

Mailed: August 10, 2009

Before MARIA VIGNONE, Supervisory Trial Clerk.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on June 24, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

APPEAL BRIEF, CLAIMS APPENDIX

A review of the Appeal Brief filed June 26, 2007 reveals that claim(s) 1, 9, 16, 20, and 21 in the Claims Appendix of the Appeal Brief are not in proper format and/or are not consistent as amended in the last entered amendment filed on March 26, 2007 (and entered on April 26, 2007). The copy of the claims should be in proper format and should not include any markings such as brackets or underlining except for claims in a reissue application in accordance with 37 C.F.R. § 41.37(c)(1)(viii).

I. Specifically, claim 1 as provided in the Brief's Claims Appendix, reads:

1 A method for retrieving information about television programs, said method comprising the steps of:
connecting to a website including information about a television program being watched; ...

However, in the last entered Amendment dated filed on March 26, 2007 (and entered on April 26, 2007), claim 1 reads:

1. (Currently Amended) A method for retrieving information about television programs, said method comprising the steps of:
connecting to a website including information about an episode of a television program being watched; ...

II. Claim 9 as provided in the Brief's Claims Appendix, reads:

9. A method for retrieving information about television programs, said method comprising the steps of:
connecting to a website including information about a television program being watched; ...

However, in the last entered Amendment dated filed on March 26, 2007 (and entered on April 26, 2007), claim 9 reads:

9. (Currently Amended) A method for retrieving information about television programs, said method comprising the steps of:
connecting to a website including information about an episode
of a television program being watched;
downloading the information from the website; ...

III. Claim 16 as provided in the Brief's Claims Appendix, reads:

16. The method of claim 21, wherein the means for downloading the information from the website includes:
means for extracting the information from the website; and
means for transmitting the information over a network.

However, in the last entered Amendment dated filed on March 26, 2007 (and entered on April 26, 2007), claim 16 reads:

16. (Currently Amended) The method of claim 21, wherein the means for downloading the information from the website includes:
~~means for~~ extracting the information from the website; and
~~means for~~ transmitting the information over a network.

IV. Claim 20 as provided in the Brief's Claims Appendix, reads:

20. A video processing system, comprising:
means for connecting to a website including information about a television program being watched;
means for downloading the information from the website;
means for processing the information including combining summaries of other episodes;
means for storing the information for later playback.

However, in the last entered Amendment dated filed on March 26, 2007 (and entered on April 26, 2007), claim 20 reads:

20. (Currently Amended) A video processing system, comprising:
means for connecting to a website including information about an episode of a television program being watched;
means for downloading the information from the website;

means for processing the information including combining summaries of other ~~episodes episodes; and~~
means for storing the information for later playback.

V. Claim 21 as provided in the Brief's Claims Appendix, reads:

21. A method for retrieving information about television programs, said method comprising the steps of:
connecting to a website including information about a television program being watched; ...

However, in the last entered Amendment dated filed on March 26, 2007 (and entered on April 26, 2007), claim 21 reads:

21. (Currently Amended) A method for retrieving information about television programs, said method comprising the steps of:
connecting to a website including information about an episode of a television program being watched; ...

Appropriate correction of all claims provided in the Claims Appendix in proper format is required.

POWER OF ATTORNEY

Appellant(s) filed a Power of Attorney dated July 29, 2008. There is no indication on the record that the Examiner has considered the above Power of Attorney.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1) to file a paper correcting the Claims Appendix of the Brief filed June 26, 2007;

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- 2) to consider the Power of Attorney filed July 29, 2008 as required;
- and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

MV/nhl

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